

July 12, 2006: USCIRF Issues Recommendations to the G-8 After Visit to Russia

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Contact:

Anne Johnson, Communications Director, (202) 523-3240, ext. 27 A delegation of the U.S. Commission on International Religious Freedom traveled to Russia on June 17-28, 2006, visiting Moscow, St. Petersburg, and Kazan, the capital of the Republic of Tatarstan. The Commission met with an array of national, regional, and local government officials, many representatives of various religious communities, and academics, legal advocates and representatives of human rights organizations. The Commission recommends that President Bush and other U.S. officials publicly and privately raise the following five human rights concerns at the upcoming G-8 meeting in Russia: The rise in xenophobia and ethnic and religious intolerance in Russia, resulting in increasing violent attacks and other hate crimes, and the government's failure adequately to address this serious problem. The Russian government's challenging of international human rights institutions and its persistent claim that foreign funding of Russian human rights organizations constitutes illegitimate interference in Russia's internal affairs. Official actions related to countering terrorism that have resulted in harassment of individual Muslims and Muslim communities. New amendments to the law on non-commercial organizations (i.e., NGOs, which includes religious organizations) that may be used to restrict severely their ability to function. Continuing restrictions by the Russian authorities on the exercise of freedom of religion or belief, particularly at the regional and local levels. "The core question for the future of Russia is whether it is moving in the right direction. The Commission finds that because these five areas are essential to progress, they should be raised publicly and privately at the G-8 and afterward," said Commission Chair Felice D. Gaer. The President and Secretary of State should work to encourage the other G-8 countries to speak with one voice on these matters. In addition, the President and other U.S. officials should be prepared to counter claims by Russian leaders that U.S. and UN efforts to advance human rights concerns constitute foreign "meddling" or are aimed at harming the Russian Federation. The Russian government's failure adequately to prosecute hate crimes. Although most attacks are motivated by ethnic hatred, some attacks against Muslim, Jewish, Protestant, and other religious communities are explicitly motivated by religious factors. Hostile articles in the de facto state-controlled Russian media contribute to intolerance, as do statements of some public officials and religious leaders. Persons who have investigated or been publicly critical of hate crimes in Russia have themselves been subject to violent attacks. Many Russian officials label crimes targeting ethnic or religious communities simply as "hooliganism." More should be done to ensure that law enforcement agencies prevent and punish such crimes, particularly those involving ethnicity and religion. While vigorously promoting freedom of expression, public officials and leaders of religious communities should take steps to discourage rhetoric that promotes xenophobia or intolerance, including religious intolerance. The Russian government's attempts to challenge international human rights institutions and undermine domestic human rights advocacy. The problem of rising ethnic and religious intolerance has been exacerbated by the repeated efforts of Russian government officials to label foreign funding of NGOs as "meddling" in Russia's internal affairs. Although Russia has ratified international human rights treaties, Russian officials and other influential figures have challenged international human rights institutions, as well as the validity of human rights advocacy in Russia, charging that it is being used for political purposes. Moreover, the branding of human rights organizations as "foreign" has increased the vulnerability of human rights advocates and those they defend. The Commission heard similar views expressed by Metropolitan Kirill, Metropolitan of Smolensk and Kaliningrad and External Affairs spokesman of the Moscow Patriarchate of the Russian Orthodox Church—a cause for concern, given the increasingly prominent role provided to the Russian Orthodox Church in Russian state and public affairs. Increasing harassment of Muslims. The Russian government faces significant challenges as it addresses genuine threats of religious extremism and terrorism in Russia. One challenge is protecting the freedom of religion and other human rights of all persons, even as counter-terrorist efforts are undertaken. However, Russian human rights defenders provided evidence of numerous cases of Muslims being prosecuted for extremism or terrorism despite no apparent relation to such activities. Human rights activists also presented evidence that dozens of individuals have been detained for possessing religious literature such as the Koran, or on the basis of evidence planted by the police. In several regions, mosques have been closed by Russian government officials. These arbitrary actions may increase instability and exacerbate radicalism in Russia. The restrictive NGO law that applies to religious organizations. Sergei Movchan, the director of the Federal Registration Service (FRS), confirmed that some of the law's most intrusive provisions do apply to religious organizations. The FRS' 2,000 employees who are charged with oversight of NGOs have broad discretion to attend NGO events and demand documents, as well as to cancel programs and ban financial transactions of the Russian branches of foreign organizations. One key purpose of the new legislation was to prevent NGOs—especially those receiving foreign funding—from engaging in so-called political activities, a purpose not spelled out or defined in the legislation. Human rights organizations are particularly vulnerable to this implicit prohibition, which is subject to arbitrary interpretation. The provisions of the NGO law on foreign funding have been perceived as a part of a broader effort described above to link human rights groups to "foreign interference." There is evidence that the FRS will examine the charters of religious groups and initiate closure proceedings if the FRS deems that any of the group's activities is not expressly laid out in the group's charter. Continuing restrictions on religious freedom at the regional and local levels. Persistent problems include de facto state-controlled media attacks that incite intolerance; registration denials; refusals to allot land to build places of worship; restrictions on rental space for religious activities; and long delays in the return of religious property. According to the Russian Human Rights Ombudsman's office, legal advocates, and religious leaders, the restrictions and limitations that produce these complaints are based on subjective factors, including the notion that Russian officials should accord

different treatment to the four so-called "traditional" religions (Russian Orthodox, Islam, Judaism, and Buddhism) compared to that accorded the many non-traditional religious communities in Russia. Another factor is the alleged influence on local and regional government leaders by Russian Orthodox priests who object to the activities of other religious groups. Based on the findings and observations from its visit to Russia, the Commission recommends that the U.S. government encourage President Putin to take the following actions during the G-8 and thereafter: --Affirm publicly that all religious communities in Russia are equal under the law and entitled to equal treatment, publicly express his reported opposition to any legislation that would grant preferences to purported "traditional" religions over other groups, and direct national government agencies to address and resolve continuing violations of religious freedom at the regional and local levels. --Speak out frequently and specifically to the citizens of Russia to condemn acts of xenophobia, anti-Semitism, and hate crimes, and to affirm a commitment to uphold the multi-ethnic and multi-confessional nature of Russian society. In addition, his government should work together with the leaders of other G-8 countries to develop policies and strategies to protect the religious freedom and other human rights of Russia's Muslim community, and, in the context of counter-terrorism, to avoid taking steps that could exacerbate religious extremism. --Develop regulations that clarify and sharply limit the state's discretion to interfere with the activities of NGOs, including religious groups, although the new law on NGOs is troublesome enough to warrant its full withdrawal. These regulations should be developed in accordance with international standards and in conformance with international best practices. --Implement the many specific recommendations made by Russia's Presidential Council on Human Rights, the official Human Rights Ombudsman's office, and the Council of Europe's European Commission against Racism and Intolerance to address xenophobia and prevent and punish hate crimes, including:

- a complete review of the residence registration system, including its effects on migrants a full implementation by regional and local law enforcement personnel of criminal code provisions on incitement and violence motivated by ethnic or religious hatred, in accordance with standards established by the European Court of Human Rights; and the establishment of 1) national and local mechanisms to collect and publish official statistics on such crimes; and 2) units of local law enforcement dedicated to their prevention and prosecution.

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